

REMARKS

By the present amendment, a substitute specification is being submitted. The substitute specification is a copy of the originally filed specification, and accordingly, it does not add any new matter.

Further, claim 1 has been amended to recite “is” instead of “may become” on line 5, and to recite “by” after “performed” on line 6, claim 3 has been amended to replace “a guide roll” by “another guide roll” on lines 5-6, “the guide roll” by “the other guide roll” on lines 6-7, and “which the film passes first” by “which is the subsequent guide roll the film passes first after being passed on the first guide roll” on lines 7-8, and claims 6-15 have been canceled.

Claims 1-5 are pending in the present application.

As a preliminary, in the Office Action, it is requested that non-elected claims 6-15 be canceled.

Claims 6-15 have been canceled by the present amendment without prejudice or disclaimer. In particular, the right to file divisional application(s) is reserved.

Next, in the Office Action, the specification is objected to. It is alleged that there are “numerous instances of letters missing from the text in the specification and claims as filed” and requests a substitute specification.

It appears that the character-recognition scanner of the U.S. Patent and Trademark Office (USPTO) may have malfunctioned, so that it may not have recorded the present application text correctly in electronic form. A substitute specification is attached, in the form of a copy of the originally filed application. It is submitted that the substitute specification does not add any new matter. Accordingly, it is submitted that the objection should be withdrawn.

Next, in the Office Action, claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged in the Office Action that, in claim 1, the expression “may become” on line 5 should be “becomes” or “is”, and the term “performed” on line 6 should be followed by “by.” Further, it is alleged in the Office Action that claim 3 is improperly dependent on claim 1, and the last line should recite “passes last.”

Reconsideration and withdrawal of the rejection is respectfully requested. Claim 1 has been amended to recite “is” instead of “may become” on line 5, and to recite “by” after “performed” on line 6, as suggested in the Office Action. Further, it is submitted that claim 3 is properly dependent on claim 1, because claim 3 recites the additional features of (i) passing the film on an upper side of the first guide roll, and (ii) on an under side of another guide roll, as exemplified on Fig. 2 of the present application (where reference 11 is the first guide roll and reference 12 is the other, subsequent guide roll which the film passes first after being passed on the first guide roll).

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Serial Number: 10/634,823

Group Art Unit: 1732

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Atty. Docket No.: 030892

Customer No.: 38834

1250 Connecticut Avenue NW Suite 700

Washington, D.C. 20036

Tel: (202) 822-1100

Fax: (202) 822-1111

NES:rep